

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA,)	
)	
)	Case No. 1:09CR00007
)	
v.)	FINAL ORDER
)	
ARTURO VICTORIANO.,)	By: James P. Jones
)	United States District Judge
Defendant.)	

For the reasons set forth in the Opinion accompanying this Final Order, it is **ORDERED** that the government's Motion to Dismiss is GRANTED, and the defendant's § 2255 motion is DENIED. It is further **ORDERED** that based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

ENTER: March 21, 2011

/s/ JAMES P. JONES
United States District Judge